



201-15657



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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Alan Taylor, Ph.D.  
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OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

Dear Dr. Taylor:

Thank you for your letter dated July 1, 2004 to the U.S. Environmental Protection Agency (EPA) regarding the EPA's High Production Volume (HPV) Challenge Program.

Your letter requests that Phosphorous acid, isooctyl diphenyl ester (CAS No. 26401-27-4) be removed from the HPV Challenge Program Chemical List.

As you know, EPA posted draft guidance on procedures for removing chemicals that are no longer HPV from the scope of the voluntary HPV Challenge Program on its Chemical Right-to-Know (ChemRTK) website ([www.epa.gov/chemrtk](http://www.epa.gov/chemrtk)) in March 1999. Among the prerequisites to be considered for removing a chemical from the HPV Challenge Program is that the chemical does not meet Inventory Update Rule (IUR) reporting requirements for the two most recent reporting years, in this case 1998 and 2002. Based on our review of pertinent IUR reporting data for these years, EPA has determined that Phosphorous acid, isooctyl diphenyl ester (CAS No. 26401-27-4) **does not meet** the no longer HPV criteria. This chemical was reported in 1998 above the equal to or greater than 1 million pounds per year threshold.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-4770. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via e-mail at [tsc hotline@epa.gov](mailto:tsc hotline@epa.gov).

Sincerely,

Wardner G. Penberthy  
Acting Director  
Chemical Control Division

cc: AR201